

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARVIN ISOM QUESENBERRY,

Defendant.

CR 5-68-BLG-DLC

ORDER

Before the Court is Defendant Marvin Isom Quesenberry's Motion for Early Termination of Supervised Release. (Doc. 422.) The Government does not oppose the motion. (Doc. 423.) Quesenberry's probation officer approves of terminating supervision in his case. (Doc. 422 at 2.) Quesenberry served more than 12 years in prison and has complied with all conditions of his supervised release since he began his term on March 6, 2018. (*Id.* at 5.) His term of supervised release is set to expire on March 4, 2028. (*Id.*)

A court may "terminate a term of supervised release . . . at any time after the expiration of one year of supervised release . . . if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice." 18 U.S.C. § 3583(e)(1). In determining whether to terminate a term of supervised

release, courts consider the factors set forth in 18 U.S.C. § 3553(a). 18 U.S.C. § 3564.

Here, “the history and characteristics of the defendant” counsel in favor of granting Quesenberry’s motion. 18 U.S.C. § 3553(a)(1). Quesenberry’s commitment to sobriety and a law-abiding lifestyle is present in his many accomplishments since entering custody. Not only did he successfully complete numerous drug addiction treatment programs, but he earned his associates degree in the liberal arts while in custody. (Doc. 422-3.)

Quesenberry has many supporters who have come forwarded to speak to his remarkable transformation: Richard Todd, a friend from prison, describes that Quesenberry entered custody committed to making the most of the experience—and how he followed through on this commitment (Doc. 422-2 at 1); Quesenberry’s siblings explain how he managed to take an active role in parenting his sons despite the obvious impediments to doing so (Doc. 422-1 at 5); his fiancé, Brooke Becker describes how “Buster,” as she calls him, has been a stable source of emotional support for her whole family since his release from prison (*id.* at 6); and his employers describe him as a capable, reliable, and hardworking employee (*id.* at 2–3). And, as already mentioned, since his release, Quesenberry has been the model probationer. Haven taken into consideration the testimony and opinions of his colleagues, family, and friends, the Court is convinced that keeping

Quesenberry under its supervision does not serve any further rehabilitative purpose; the system has worked.

Accordingly, IT IS ORDERED that Quesenberry's Motion (Doc. 422) is GRANTED. The term of supervised release imposed by the March 13, 2006 Judgment (Doc. 168 *as modified by* Doc. 414) is TERMINATED as of the date of this Order. Quesenberry is DISCHARGED from the sentence of supervised release.

DATED this 15th day of March, 2021.



Dana L. Christensen, District Judge
United States District Court